Content

Title：	Management Regulations for Reuse of Industrial Waste in Science Parks Ch
Date：	2022.12.14
Legislative：	1. Promulgated by the National Science Council of the Executive Yuan per Order Tai Huei Guei Zi No. 0910053664-1 on October 15, 2002 2. Amended by the National Science Council of the Executive Yuan per Order Tai Huei Guei Zi No. 0960048096 on September 17, 2007 3. Amended by the National Science Council of the Executive Yuan per Order Tai Huei Hsie Zi No. 1010019792A on April 2, 2012 4. Amended by the Ministry of Science and Technology per Order Tsan Zi No. 1030077749A on October 30, 2014 5. Amended by Ministry of Science and Technology per Order No.1090003214A on February 10, 2020 6. Article 2, 3, 4, 10, 11 amended and promulgated by the National Science and Technology Council per Order Ke-Hui-Tsang Zi No.1110075862B on December 14, 2022
Content：	Article 1 The Regulations are laid down in accordance with the provision of Paragraph 2 Article 39 of the Waste Disposal Act (hereinafter referred to as “the Act”). Article 2 The industry competent authority for the Regulations is the National Science and Technology Council (hereinafter referred to as the “NSTC”) which commissions each Science Park Bureau (hereinafter referred to as the “Bureau”) to take charge of the respective business affairs. Article 3 The term “enterprise” or “enterprises” as set forth herein denotes an enterprise amidst those set forth under Paragraph 5, Article 2 of the Act taking the NSTC as the industry competent authority. “Reuse” used hereunder shall have the meaning: The enterprise takes action to reuse its industrial waste or dispatches it to a reuse organization for the use as raw material, material, fuel material, construction filling material, land reformation, land reclamation, land filling or other uses as designated by the NSTC. The reuse organization set forth in the preceding paragraph is limited to the agricultural, industrial, business factory (plant) that has been registered with

the government authority or legally waived from registration.

Article 4

The industrial waste shall be reused in the following manners:

1. The enterprises can have the waste reused at their own factories (plants).

2. Should the nature of industrial waste be stable or the reusing technology be mature, the category and managing method of which are to be announced by NSTC, the enterprises and the reuse organizations can apply the said managing method to reusing; provided in the event of industrial waste which the other central industry competent authority permit direct reuse, or the industrial waste which may be reused based on a general case basis, the enterprises and the reuse organizations can reuse the industrial waste in accordance with the contents of the specified managing method or the contents stated in the permission document based on a general case basis.

3. After the industrial waste is permitted by the Bureau in an individual case or a general case, the industrial waste may be delivered to the reuse organization for reuse.

In the event that the category and use of industrial waste reuse announced by MOST as set forth under the subparagraph 2 of the preceding paragraph are concern of pollution to the environment, the NSTC may temporarily suspend the reuse.

An enterprise located inside the Science Park as promulgated under Paragraph 1, Article 31 of the Act shall have its industrial waste disposal plan submitted to and approved by the local Bureau at the venue where the enterprise is located before reuse in accordance with the provisions set forth under Paragraph 1. Enterprises not falling within the promulgation may reuse such industrial waste at their own factories (plants).

Article 5

Application for individual case permission: ten (10) copies of the application form shall be jointly submitted by enterprise and reuse organization to the Bureau.

The application form mentioned in the preceding paragraph

shall comprise of:
1. Basic information of enterprise and reuse organization
2. The submission of joint willingness by enterprise and reuse organization
3. The scheme of reusing operation
4. Other documents as designated by the Bureau.
The scheme of reusing operation mentioned in Subparagraph 3 of the preceding paragraph shall comprise of:
1. Basic information of industrial waste
2. Plan of clearance
3. The scheme of reusing, which contains domestic/foreign achievement evidence showing the feasibility of reusing or experimental plans.
4. Plan of pollution prevention
5. The quality control and plan for sale of reused products
6. Irregular manipulation plan
7. Emergency management plan
8. The continuous audit plan of an enterprise for reuse of industrial waste
9. The continuous audit plan of products for the reuse organization
The contents of the experimental plan in the scheme of reusing under Subparagraph 3 of the preceding paragraph shall include quantities, duration of experiment, testing and monitoring methods.
In an individual case application for permit of reuse which is not accompanied with supporting data of domestic/foreign achievement evidence showing the feasibility of reusing, the applicant shall, after being approved by the Bureau, proceed with the reuse experimental plan in accordance with the experimental plan in the scheme of reusing mentioned in Subparagraph 3, Paragraph 3 and then submit the post-amendment individual case application for permit of reuse containing the experimental results to the Bureau for review within thirty (30) days starting from the next day of expiration date of the experimental plan. In the event that the case is not submitted to the Bureau for review or disapproved, the matter produced by the reuse organization during the experimental duration shall apply to the Article 28 or 39 of the Act.

Article 6

The enterprise and the reuse organization, not having the domestic/foreign achievement evidence of reusing feasibility as set forth in Subparagraph 3, Paragraph 3 of the preceding article, could jointly submit experimental plan ten (10) copies of the application form, with approval of the Bureau carrying the reusing experimental plan out. The enterprise and the reuse organization shall submit the result of such experimental plan to the Bureau for approval within thirty (30) days following the next day of expiration date of the experimental plan, which can be used as domestic achievements and to file the application pursuant to the provision of the preceding article. If such result was out of approval, the matter produced by the reuse organization during the experimental duration shall apply to the Article 28 or 39 of the Act.

The application form mentioned in the preceding paragraph shall comprise of:

1. Basic information of enterprise and reuse organization
2.The submission of joint willingness by enterprise and reuse organization
3. The scheme of reusing operation
4. Other documents as designated by the Bureau

The scheme of reusing operation mentioned in Subparagraph 3 of the preceding paragraph shall comprise of:

1. Basic information of industrial waste
2. Plan of clearance
3.The scheme of reusing, which include quantities and duration of experiment and methods of testing and monitoring
4. Plan of pollution prevention, which contains testing and monitoring methods of pollution emission
5. The quality control and plan for sale of reused products
6. Irregular manipulation plan
7. Emergency management plan

The result of such experimental plan in Paragraph 1 shall comprise of the record of operation, testing and monitoring provided in the application form of the experimental plan in the preceding paragraph approved by

the Bureau.

Article 7

Application for general case permission: fifteen (15) copies of the application form shall be submitted by the reuse organizations to the Bureau.

The application form mentioned in the preceding paragraph shall comprise of:

1. Basic information of the reuse organization
2. The scheme of reusing operation
3. Other documents as designated by the Bureau

The scheme of reusing operation mentioned in Subparagraph 2 of the preceding paragraph shall comprise of:

1. Basic information of industrial waste
2. Plan of clearance
3.The scheme of reusing, which contains monthly statistical data of quantity that is accepted, reused and stored over twelve (12) months for industrial waste of the same industrial process
4. Plan of pollution prevention
5. The quality control and plan for sale of reused products, which contains monthly statistical data of sale
6. Irregular manipulation plan
7. Emergency management plan
8. Evidence issued by the municipal or county (city) authority(ies) to prove that within one year before the date of the application, the applicant has not been requested for correction within a limited period of time and failed to complete improvements within a limited period of time because of violation of environmental protection laws, and has not been penalized with a fine on a daily basis (based on the number of time(s)), penalized with suspension of work, suspension of business, termination of business, revocation or cancellation of permits (documents), or other deprivation or extermination of certain qualifications or rights, or is accused because of involvement in criminal liability
9. The product continuous audit plan of the reuse organization

The monthly statistical data mentioned in Subparagraphs 3 and 5 and the evidence mentioned in Subparagraph 8 of the preceding paragraph are restricted to the same corporation. And if they are written in foreign language,

the translation in Chinese that is verified by an institution functioning abroad or an organization authorized by the Ministry of Foreign Affairs shall be submitted.

Article 8

An application submitted based on the Regulations are examined in their written forms, the content and information of which if found to be lack, the Bureau shall, within ten (10) working days, notify the applicant to complete supplement. Such timeframe may be extended for ten (10) more working days in a case of application in reuse permit in a general case.

After examining in accordance with the preceding paragraph, the Bureau may invite scholars, specialists and relevant competent authority to conduct the substantial examination and go to the scene to carry out inspection if necessary. Where the contents require for an amendment after the substantial examination, the Bureau shall notify the applicant to amend the application form.

The total number of days of supplementing or amending the application form mentioned in the preceding two paragraphs may not exceed ninety (90) days. In case of an application for reuse in an individual case under Paragraph 5, Article 5, nevertheless, the total number of days for supplement or amendment may not exceed one hundred and twenty (120) days.

Article 9

An application for reuse permit shall be dismissed by the Bureau due to one of following items:

1. Where the total number of days of supplementing or amending the enterprise or the reuse organization proves in violation of the provisions set forth under Paragraph 3 of the preceding article

2. Where the testing of reused products is not completed based on the contents in terms of testing items and frequency of the permit document for reuse within the original permit duration, or the testing results are inconsistent with the contents of the reuse permit document, for up to three times in accumulation

3. Where the enterprise or the reuse organization proves

in violation of environmental protection related laws and fails to complete improvements within a limited period of time amidst the period of application, or the enterprise or the reuse organization is penalized with a fine on a daily basis (based on the number of time(s)), penalized with suspension of work, suspension of business, termination of business, revocation or cancellation of permits (documents), or other deprivation or extermination of certain qualifications or rights, or is accused because of involvement in criminal liability

4. Where the evidence proves no longer in feasibility of reuse through substantial examination

5. Where the enterprise or the reuse organization is found to have major production equipment & facilities removed and, as a result, it is identified by the industry competent authorities of absence of such facts of continued production, manufacture and processing

Where an application is dismissed as a result of a fact in Subparagraph 2 of the preceding paragraph, that same applicant shall no longer file a same application for reuse duration permitted with the Bureau within one year starting from the next day of expiration date of the originally issued reuse permit.

Article 10

Permission document for individual case of reusing shall incorporate the following items:

1. Name, address, responsible person of the enterprise

2. Name, address, responsible person of the reuse organization

3. Industrial process, category (code), name and use of the industrial reused waste

4. Accepted quantity of such permitted reusing

5. Date of grant and duration permitted

6. Other items prescribed by the NSTC

Article 11

Permission document for a general case of reusing shall incorporate the following items:

1. Name, address, responsible person of the reuse organization

2. Industrial process, category (code), name and use of the industrial reused waste

3. Accepted quantity of such permitted reusing

4. Date of grant and duration permitted
5. Other items prescribed by the NSTC

Article 12

When granting the permission document and their extensions, changes, and cancellation, the Bureau shall also notify the municipal or county (city) competent authority located in the same boundary of the enterprise and the reuse organization, and the industry competent authorities governing the use of reusing.

Article 13

The reuse organization obtaining the permission document of general case of reusing shall enter into an agreement with the enterprise and submit, within thirty (30) days following the date of execution, submit such agreement to the Bureau for reference, and also send copies to the municipal or county (city) competent authority located in the same boundary of the enterprise and the reuse organization, and the industry competent authorities governing the use of reusing before starting business operation for industrial waste reuse. When the agreement is modified, relieved or terminated, the above same procedure shall apply.

The agreement mentioned in the preceding paragraph shall incorporate the following items:

1. Industrial process, category, nature and quantity of the industrial waste
2. The effective duration of the agreement
3. Method of handling the un-reused waste if the reuse organization fails to operate for a cause

In a case of industrial waste clearance and transport machinery does not equipped with the real-time tracking system promulgated by the central competent authority, the said agreement shall indicate the clearance of the transport machinery or shall be accompanied with the relevant evidence.

Article 14

The duration permitted by the permission document granted in accordance with the Regulations shall limit within three (3) years. Three (3) to six (6) months prior to the expiration of the duration permitted, the enterprise or the reuse organization may apply for the extension of

such duration with the Bureau with the relevant records for the operating period under the original permit in accordance with Article 5 or 7, and each extension shall limit within three (3) years. In the event that the application for such extension is not timely filed, the permission shall be extinct. The application shall be filed anew if continued business operation is required.

Where the application of extension has been duly filed in accordance with the requirements set forth under the preceding paragraph and where the application of extension is not either approved or disapproved before the duration permitted expires due to the review process by the Bureau, the reuse organization may continue the business operation based on the permitted contents during the period after expiry of the permit until the completion of the review process.

Where the application is filed beyond the timeframe set forth under Paragraph 1 and where the Bureau does not either approve or disapprove until after the expiring date of the duration permitted, the enterprise or the reuse organization shall discontinue business operation starting from the next day of expiration date of permitted duration.

The relevant records for the operating period under the original permit set forth under Paragraph 1 shall include the following information:

1. Compilation of testing results of acceptable standard of industrial waste
2. Statistical data table of quantity that is accepted, reused and stored of industrial waste
3. Statistical data table of quantity that is generated, cleaned and stored of post-reuse waste
4. Compilation of testing results for reused product quality
5. Statistical data table of the reused product outputs, sales and inventory volumes
6. Compilation of product sales target, use and quantity
7. The records made from audit plans set forth under Subparagraphs 8, 9, Paragraph 3, Article 5 and Subparagraph 9, Paragraph 3, Article 7

Article 15

Where the contents of application form having been

granted a pass in the review process are found due to one of following items, the enterprise or the reuse organization shall reapply for a permit according to Article 5, 6 or 7:

1. Changes in the category, name, attribute or industrial process of industrial waste
2. The quantity of the industrial waste substantially accepted exceeds the permitted quantity except an event where the excess does not exceed 10 percent
3. Changes in the principle of reusing technology of industrial waste

Article 16

Where the contents of application form having been granted a pass in the review process are found due to one of following changes, the enterprise or the reuse organization shall submit relevant information to the Bureau for approval:

1. Permitted reusing quantity of each enterprise accepted by the reuse organization in an individual case
2. Period for the experimental plan
3. Governing method or acceptable standard of industrial waste fed into reuse organization
4. Storage capacity of industrial waste fed into reuse organization
5. Procedures or facilities of reuse
6. Clean-up method of industrial waste after reuse
7. Pollutant emission testing items, methods and frequency
8. Name, use and specification of products
9. Clean-up plan of industrial waste without reuse if suspension or termination of business
10. Disposal plan of products and amount stored are over capacity
11. Item, method or frequency of product analysis
12. Other particulars as designated by the Bureau

A change in the experimental duration mentioned in Subparagraph 2 of the preceding paragraph is confined only to once.

Article 17

Where the contents of the application form have been granted a pass in the review process are found due to one

of following changes, the enterprise or the reuse organization shall submit relevant information to the Bureau for reference within thirty (30) days after the event in application:

1. Name, address or responsible person of the enterprise or the reuse organization
2. Clearance method
3. Clearance organization or vehicle
4. Storage facility of industrial waste fed into reuse organization
5. Method, facility or specification of pollution control
6. Storage method of products
7. Decrease in quantity of the permitted industrial waste that can be reused

Where the cleaning vehicles of the clearance organization under the regulation of industrial waste clearance and transport machinery designated and promulgated by the central competent authority shall be equipped with real-time tracking systems; the clearance organization and the cleaning vehicles that has been approved by certification institution are free of such procedure to apply to the Bureau for reference in Subparagraph 3 of the preceding paragraph.

Article 18

Delivering the industrial waste to the reuse organization for reusing shall comply with the following methods by the enterprise or the reuse organization:

1. Self-clearance
2. Clearing by a lawful transport service authorized
3. Authorizing a licensed public or private waste clearance organization to do so

Article 19

Before clearing waste or reusing, the enterprise shall establish an agreement with reuse organization, legal transportation company, or public or private waste clearance organization with permit, and the agreement shall be properly preserved for later check.

The items mentioned in the agreement mentioned in the preceding paragraph shall apply to Paragraphs 2 and 3 of Article 13.

Article 20

The enterprise shall record the date of delivering the industrial waste to the reuse organization, category, name, quantity, use of reusing and reuse organization title.

The reuse organization shall record the date of reusing, category, name, quantity, use of reusing, enterprise title and the disposal of remnant wastes.

The reuse organization shall record the sale flow and quantity of products as business operation records.

Where the reuse organization does not sell the reused products directly to end users, the Bureau may request it have a record of sale flow and quantity of the reused products sold to end users via other institution.

Where the enterprise and the reuse organization conduct relevant testing based on the permit document, they shall put the testing date, testing method and results into records or take the reports of outsourced testing as the records.

The reused products of the reuse organization shall be expressly marked onto the packaging and sales invoice or shipping order with its reuse organization, contact phone number, product title, use and range of restriction on use. In case of reused products without packaging, the reuse organization shall mark the same information onto the sales invoice or shipping order. Such particulars shall be marked in both Chinese and English in case of export.

The records and the relevant vouchers as set forth under Paragraphs 1~3 and the testing reports set forth under Paragraph 5 shall be prudentially archived for three (3) years ready for audit. Where necessary, the Bureau may request the enterprise and the reuse organization to submit the records and relevant vouchers to the Bureau.

Article 21

The enterprise or the reuse organization shall report the records set forth under Paragraph 1 or 2 of the preceding paragraph in accordance with the provisions Subparagraph 2, Paragraph 1, Article 31 of the Act.

The reuse organization shall take the initiative to go online to the designated system of the central competent authority before the 10th day of each month, and report the business operation records of its reused products in

last month pursuant to the following requirements:

1. For the post-reused products manufactured by a reuse organization with the accepted industrial waste, the titles of the reused products shall be reported item by item

2. The code, name and use quantity, product outputs, and inventory volume of reused products at the end of last month, sales targets and their identification numbers, address, product code and name, sales volumes related data of the industrial waste reused for various reused products. In case of no sales of the reused products, the inventory volume of reused products at the end of the preceding month, or no inventory volume of reused products shall be reported as well

3. Whenever the contents regarding the sale flow of reused products reported are found inconsistent with fact, the enterprise or the reuse organization shall go online to supplement the data forthwith and explain the reason for amendment to such data

Amidst the online report according to the preceding paragraph, in case of a breakdown of the relevant software & hardware facilities which makes a report prior to the 10th day of each month impossible, the enterprise or the reuse organization shall report to the Bureau by means of FAX within 24 hours and shall, meanwhile, make the records and complete the supplementary online report within one day after completion of the repair work.

Where the last day of the deadline for the report process under Paragraphs 1~3 falls on a weekend and/or non-working day, the report may be postponed until the ensuing business day.

Article 22

The Bureau may dispatch personnel or outsource a relevant entity to track and check the reuse of industrial waste, and the enterprise and the reuse organization shall render relevant coordination in providing relevant documents and explanations.

Article 23

Where the reuse organization having been granted permit for reuse discontinues the waste reuse operations, it shall duly apply to the Bureau for cancellation of its

reuse permit. Where it suspends business operation temporarily for more than one month, it shall report to the Bureau with relevant information within fifteen (15) days after expiry of one-month period for reference.

Whenever a reuse permit meets any one of following items, the Bureau may cancel the permission:

1. Where a reuse organization has forfeited its qualification to conduct operations

2. Where a reuse organization has not engaged in waste reuse operations as permitted by the Bureau for twelve (12) successive months

3. Where the major production equipment and facilities of a reuse enterprise in an individual case have been relocated and where the industry competent authority identifies the fact that it has not continually engaged in production, manufacture, processing

4. Where a reuse organization simultaneously engages in waste disposal operations where the items of waste reuse are same as the items permitted for waste disposal where the disposal and reuse process could not be expressly distinguished through operation with different machinery and equipment or other managing methods

Article 24

Where the reuse organization which accepts industrial waste proves to meet one of following items, the Bureau may order it to discontinue the acceptance of waste and request it to complete correction within a limited period of time:

1. Where the sources, use of reusing and items of the reused products for the industrial waste prove inconsistent with the requirements of the consents set forth under the permission document

2. Where its factory is found without the machinery and equipment as required under the permission document

3. Where the quality of reused products proves inconsistent with the contents of the permission document

4. Where it proves in violation of provisions set forth under Article 22

Where the reuse organization proves in contradiction due to one of following items in sales or delivery of reused products, the Bureau may request it to complete correction within a limited period of time or to submit

supplementary explanation. In the event that it fails to complete correction or clarify, the Bureau may order it to discontinue sales or delivery of reused products:

1. Where the quality of the reused products proves inconsistent with the contents of the permission document

2. Where the qualification requirements of a target of the reused product sales prove inconsistent with the contents of the permission document

3. Where the use of the reused product proves ambiguous or proves inconsistent with the contents of the permission document

4. Where it proves in violation of provisions set forth under Article 22

In an event where the Bureau requests discontinuance from acceptance of waste, from sales or delivery of reused products in accordance with the preceding two paragraphs, the enterprise or the reuse organization shall not resume acceptance of waste, sales or delivery of reused products until it applies to the Bureau with evidence or explanation data to prove satisfactory completion of correction and is approved by the Bureau.

Article 25

Where the enterprise or the reuse organization proves to meet one of following items, the Bureau may cancel the permission：

1. The information and content of the report that shall be submitted are inconsistent with the facts

2. Non-compliance with the permission document in conducting reusing and failure to complete correction within a limited period of time

3. Failure to reapply for a permit according to Article 15

4. Failure to complete correction within a limited period of time in the violation of Article 13, Article 16, Article 17, Article 20 to Article 22 during the permit duration after receipt of such notice

5. Other violations, which are believed to be substantial by the central competent authority or the industry competent authority governing the use of reusing

Where the reuse permit is cancelled by the Bureau in accordance with the preceding paragraph, the enterprise or reuse organization shall not reapply anew within three

(3) years.

The reuse organizations whose permits have been cancelled by the Bureau may not again engage in waste reuse operations from the day on which they receive written notification of such penalty. In such an event, the already accepted waste not yet reused and the post-reuse waste shall be duly cleaned away and disposed in accordance with relevant provisions of the Act.

Article 26

The Bureau can authorize relevant institutions to counsel the enterprise and the reuse organization in affairs regarding promoting the technology of reusing the industrial waste and technology transfer and assist the reuse organization to establish the standards for the quality and technology of products.

Article 27

The Regulations shall take effect on the date of promulgation.

Data Source：NSTC Laws and Regulations Retrieving System